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Chairman:	Mr. DEKANY (Vice-Chairman)	(Hungary)
later:	Mr. KRENKEL (Chairman)	(Austria)

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In the absence of Mr. Krenkel (Austria), Mr. Dekany (Hungary), Vice-Chairman, took the Chair.

The meeting was called to order at 3.15 p.m.

TRIBUTE TO THE MEMORY OF KAYSONE PHOMVIHANE, PRESIDENT OF THE LAO PEOPLE'S DEMOCRATIC REPUBLIC

1. At the invitation of the Chairman, the members of the Committee observed a minute of silence.

AGENDA ITEM 97: HUMAN RIGHTS QUESTIONS (continued)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/47/24 and Add.1, A/47/353, 434, 479, 501-504, 552, 626, 630, 668, 701 and 702)

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AGENDA ITEM 149: THE SITUATION OF HUMAN RIGHTS IN ESTONIA AND LATVIA (continued) (A/47/247; A/C.3/47/9)

2. Mr. MONGBE (Benin) said it was becoming more widely recognized that the denial of human rights gave rise to social and political disorder and to conflict between nations. A greater number of human rights violations occurred in countries under non-democratic or dictatorial regimes. Respect for human rights assumed a certain political and social climate, and it had become commonplace to link democracy and respect for human rights.

3. Pluralism was a pre-condition for the enjoyment of human rights. In post-colonial Africa, the desire for social unification and creation of a national identity had been behind the authoritarian methods chosen by almost all African Governments after independence. Human rights violations had been common, and many African leaders had become mired in corruption, looting national treasuries and leaving their peoples in poverty. It was shocking that those leaders had often received support from countries that believed in the promotion of human rights. Against that background, the need for the changes currently under way to promote human rights in Africa could be understood.

4. In addition to a favourable political and social climate, certain economic conditions were necessary for the establishment of such rights. His delegation believed that the right to development should henceforward be a priority. The 1992 Rio Declaration on Environment and Development recognized that the right to development must be fulfilled so as to equitably meet

(Mr. Mongbe, Benin)

developmental and environmental needs of present and future generations. The legal basis for the right to development already existed in international law and General Assembly resolutions, but its realization required the dismantling of the current unjust international economic order under which two thirds of humanity could not meet their basic needs. That right was incompatible with the subhuman conditions endured by millions in Africa, Asia, Latin America and the Caribbean.

5. Knowledge of human rights was a basic condition for their enjoyment. Providing education in human rights and methods for their protection was a duty of States, international organizations, educational establishments and non-governmental organizations. The moral and intellectual education of youth as well as adults in the understanding of other peoples could improve prospects for the exercise of human rights. Benin had decided to introduce human rights education at all levels of its educational system. The mass media could also play a role in that regard.

6. The international community would have another opportunity to consider all aspects of the question of human rights at the World Conference on Human Rights to be held at Vienna in 1993. That Conference, taking place during a time of great change, should be prepared with great care. Benin had participated in the African preparatory meeting for the Conference, held recently in Tunis, at which it had joined in condemning religious extremism and in calling for the dismantling of apartheid.

7. The maintenance of peace and security, economic development and respect for human rights were interdependent and could not be pursued separately. Consequently, the dissatisfaction of one State with the human rights policy of another could not be expressed through armed aggression. The question of whether development assistance could or should be used as a means of pressuring a country to correct human rights violations had no simple answer, however. Development cooperation must benefit the people in greatest need, and was unjustified if it benefited only those in power. When the human rights situation in a given country deteriorated, development assistance should focus on improving people's living conditions. The greatest caution should be exercised in using it as a means of punishing human rights violations.

8. Mr. LUNA (Peru) said that the 1993 World Conference on Human Rights should give continuity to the international community's commitment to the promotion and protection of human rights. It would also help to strengthen the spirit of consensus towards that goal. Evaluation of obstacles to the promotion of human rights and ways to overcome them would be a major topic of discussion. Through an in-depth examination of that topic, international efforts to protect human rights could be harmonized with the ability of States to ensure their own viability, protect society and modernize their political systems. The United Nations must go beyond its current focus on investigation, which was limited to judging the conduct of only certain States, thereby weakening the common commitment of the international community and each State to the individual.

(Mr. Luna, Peru)

9. The administrative reforms being undertaken in the Secretariat in the area of human rights should take into account the need to change the rigid ideological focus developed during the cold war. The reforms should be aimed at inculcating a new vision and a conceptual adaptability on the part of officials in the human rights field with a view to ensuring that respect for human rights became the foundation of a universally accepted legal order.

10. The investigation of States which were undertaking structural changes, rebuilding their societies and identifying their true priorities could have unfavourable consequences: if the precarious means available to such States were inhibited, there was an increased risk of terrorist attacks against national security. Dogmatism and moralistic postures must be put aside and new methods found.

11. At the current stage of international relations, a dynamic link between economic freedom, a democratic system and human rights could be demonstrated. In the application of human rights standards, however, it was necessary to bear in mind the particular history of each people. The force of that history explained how some societies, overcoming terrorist groups motivated by a doctrine of division and destruction, found the strength to persevere on the path of change, in order to protect their democracy and turn towards the future.

12. With regard to the problem of terrorism in Peru, he reiterated his Government's determination to eradicate that phenomenon, which constituted the most bloody and systematic violation of human rights in his country.

13. The publication of statistics on crimes by the Sendero Luminoso and the Movimiento Revolucionario Túpac Amaru (document A/47/465), supplemented by data submitted to the Commission on Human Rights, provided detailed information on terrorist groups in Peru. It was to be hoped that the data would stimulate an innovative approach. In that connection, it should be kept in mind that Peru, by virtue of its political complexity, the global impact of its problems and the courage of its people in facing them, was in the vanguard of States which were facing the onslaught of new threats such as terrorism, drug trafficking and corruption.

14. In its efforts to achieve peace, his country had been supported by a number of countries in the international community. The Organization of American States had firmly condemned the actions of terrorist groups in Peru, thereby demonstrating the solidarity of the countries in the region. The Swedish Government's decision to expel from its territory individuals linked with terrorist movements represented an encouraging change of attitude.

15. The ongoing defence of democratic and human values and the determination of the Peruvian people to preserve their identity had enabled the Government to make decisive advances in combating terrorism, including the capture of the leader of the Sendero Luminoso and the recent dismantling of the leadership of

(Mr. Luna, Peru)

that organization. Those events had been welcomed by other Governments, including the United States, and such messages of solidarity had helped to strengthen his country's resolve to achieve stability and peace.

16. The legitimate use of force in defence of society and its democratic institutions did not preclude the humanitarian gesture of pardon. Since his Government had passed the act of pardon in May 1992, more than 1,500 terrorists had laid down their arms and complied with the procedures for their full integration into civilian life.

17. Peru had recently elected a Constituent Democratic Congress, the members of which would be drafting a new constitution and reviewing the executive branch. The tacit mandate of the Congress was to address the fundamental problems of the nation based on the real interests of the people, free from anachronistic ideological debate. His Government hoped that the international community would provide the necessary assistance during that difficult period of transition.

18. Ideological rivalry had politicized the issue of human rights, each country manipulating it for its own political ends. The current political climate called for renewed idealism and provided an opportunity for States to free themselves from the past and to work together to develop more precise human rights criteria and more effective methods to ensure respect for those rights.

19. Mr. JALLOW (Gambia) observed that a new world order was emerging, based on political pluralism, self-determination and respect for human rights. His country had always endorsed respect for human rights and fundamental freedoms, at both the national and international levels. It had accordingly served as a venue for international human rights activities and was host to the African Centre for Democracy and Human Rights Studies.

20. The transition between the end of the cold war and the rise of a new world order called for even greater efforts to ensure human rights and, in that connection, his country appreciated the work of the United Nations and of governmental and non-governmental organizations. It welcomed the expanded scope and complexity of United Nations activities in the field of human rights, including advisory services and technical assistance programmes. Countries such as his own which lacked the financial resources to promote or ensure human rights had benefited enormously from such assistance, which had helped strengthen national human rights organizations and enabled them to develop links with regional organizations.

21. The world continued to witness violations of human rights on a massive scale, making the United Nations task an arduous one. His Government remained a firm advocate of the inherent right to life of all human beings, as guaranteed by law. It deplored the numerous summary or arbitrary executions worldwide and called on the international community to develop the means to eliminate such actions.

(Mr. Jallow, Gambia)

22. It was particularly concerned by the policy of "ethnic cleansing" in the Republic of Bosnia and Herzegovina and the nationalist tendencies of the warring factions in Somalia, which were wiping out the most vulnerable groups in those countries. Of concern also were continuing human rights violations in South Africa and the failure of that country's Government to ensure the safe return and full integration of political exiles and returnees. The situation in war-torn Liberia was lamentable and called for a concerted international effort to establish lasting peace and stability in that country.

23. The World Conference on Human Rights in 1993 would no doubt address such issues as ethnic cleansing, the impact of civil war on human rights, the dominance of political ends over humanitarian law and the effects of fear and insecurity on fundamental freedoms. The Conference would also help to evaluate progress and determine future directions.

24. The observance in 1993 of the International Year for the World's Indigenous People would help focus on the plight of that group and would enable the international community to renew its commitment to protecting and promoting the rights of indigenous peoples.

25. His delegation noted with satisfaction the implementation of the African decade for child survival, proclaimed by the Organization of African Unity, and the commemoration on 16 June each year of the Day of the African Child. Those activities, which were linked to the Convention on the Rights of the Child, formed the basis for a donors' conference on assistance to African children currently being held in Senegal. He called on the international community to endorse the objectives of that conference.

26. Mr. NOBILO (Croatia) said that full and unconditional respect for human rights was essential for world peace and stability. The end of the cold war had given rise to hopes that respect for human rights could finally be ensured; unfortunately, those hopes had diminished in the light of new regional conflicts around the world which not only endangered world peace but entailed serious violations of human rights. His Government called on all parties involved in those conflicts to seek peaceful and just solutions based on respect for human rights and the territorial integrity and sovereignty of States. It stressed, however, that respect for human rights was both an internal and a global issue and that the international community had the right to set human rights standards and to monitor their implementation.

27. His delegation had hoped that the recent rebirth of democracy in Eastern and Central Europe would mark the start of an era of peace, prosperity and respect for human rights. Yet, the policy of aggressive nationalism, territorial expansionism and "ethnic cleansing" pursued by the regime in Serbia and Montenegro had lead to all-out war and the most massive violations of human rights since the Second World War. The Yugoslav Army, along with Serbian paramilitary units and mercenaries, had "cleansed" non-Serbs from one third of Croatian territory, engaging in extreme forms of violence and

(Mr. Nobilo, Croatia)

causing the displacement of over a quarter of a million people. "Ethnic cleansing" also meant the destruction of the homes, cultural monuments and land records of the victims, thus making it impossible for them to return and paving the way for Serbs to settle in those regions and claim they had been the sole inhabitants.

28. The policy of "ethnic cleansing" had been applied on an even greater scale in Bosnia and Herzegovina. According to a number of well-documented reports on the situation of human rights in the territory of the former Yugoslavia, including those of the Special Rapporteur of the Commission on Human Rights (A/47/418 and A/47/635), heinous crimes were being committed both in the concentration camps and in the villages and towns of the Republic.

29. It was his Government's firm belief that the crimes committed by Serbian paramilitary units and the Yugoslav Army were examples of genocide, as described in article II of the Convention on the Prevention and Punishment of the Crime of Genocide. The time had come for the international community to act. In that connection, Croatia commended the recent establishment by the United Nations of a war crimes tribunal and was contributing to the work of that body by gathering evidence of war crimes in its own territory and in that of Bosnia and Herzegovina. According to a recent report by Helsinki Watch, the individuals who should be tried for war crimes included the President of Serbia, the Chief of Staff of the Yugoslav Army and the President of the Serbian Democratic Party of Bosnia and Herzegovina.

30. Gross violations of human rights were also occurring in other areas of the former Yugoslavia. The Serbian Government was attempting to resettle Serbs in the province of Kosovo at the expense of the Albanians who made up 90 per cent of the population. The latter were subject to arbitrary detention, torture and other forms of mistreatment and were denied the right to education in their own language. In the Serbian province of Vojvodina, Serbian paramilitaries were terrorizing and forcibly displacing non-Serbs and the Belgrade authorities had done little to halt such practices. There had also been numerous reports of beatings, disappearances and murder of Slavic Muslims in the region of the border between Serbia and Montenegro.

31. The international community must respond to those violations of human rights as they could easily engender regional conflicts, involving neighbouring countries. The United Nations could speed up that process by undertaking to implement in a consistent fashion its resolutions pertaining to the former Yugoslavia. The entire issue was in a sense a test case: the response would demonstrate whether the rule of law would prevail over acts of genocide.

32. His country had a fundamental policy of ensuring respect for the rights and equality of all its citizens. The Government had also enacted specific legislation recognizing the collective rights of minorities in the territory of Croatia, including education in their own language, religious freedom and local self-administration.

33. Mr. GARRETON (Chile) said that his delegation looked forward to the adoption by the General Assembly of the draft declaration on the protection of all persons from enforced disappearance. That text was of particular importance to the southern cone countries of Latin America, including his own, where enforced disappearances represented a serious problem. It was well-documented that before the restoration of democracy in Chile, more than a thousand individuals had disappeared while in the hands of the de facto authorities, with the authors enjoying guaranteed impunity. Investigations had been carried out diligently by, among others, the Latin American Federation of Associations for Relatives of Disappeared Detainees (FEDEFAM), which had been the driving force behind the draft declaration.

34. His Government would have preferred a binding instrument relating to that issue. However, the draft declaration contained important provisions designed to ensure that justice prevailed, including a prohibition on investigations of enforced disappearances by military courts, extension of liability for such crimes, and a prohibition on amnesty. His Government endorsed the provisions contained in the declaration under which States agreed to act at the national and regional level and in cooperation with the United Nations to combat enforced disappearances and to bring to justice the persons responsible for such acts.

35. The General Assembly would also be considering at the current session the draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities. That text was particularly relevant in view of the revival of the policy of "ethnic cleansing", the alarming resurgence of xenophobia and racism in a number of countries, and the inauguration in December 1992 of the International Year for the World's Indigenous People. Noteworthy among the provisions of the declaration was the granting of the status of "people" to minorities and the recognition that "positive discrimination" was not prima facie contrary to the principle of equality set forth in the Universal Declaration of Human Rights.

36. His delegation believed that enhancing the effectiveness of the principle of periodic and genuine elections was unquestionably a human rights issue. The only lasting and democratic structures were the outcome of rational debate, engaged in freely by the people. His delegation also believed that the right of self-determination belonged to peoples rather than to Governments. Self-determination and democracy were inextricably linked and in fact together could be considered the human right to democracy. The General Assembly should strive to ensure that all peoples exercised their right to self-determination through the holding of genuine elections.

37. The forthcoming World Conference on Human Rights should be a magnificent opportunity for a meeting of cultures and peoples, on a par with that which had preceded the adoption of the Universal Declaration of Human Rights. His delegation was very seriously concerned that it had still not been possible to draw up a consensus agenda for the Conference. In spite of the efforts by some Governments, the Centre for Human Rights and many non-governmental

(Mr. Garreton, Chile)

organizations, it did not appear that the Conference had raised much hope among peoples for a real improvement in their situation. Chile supported draft resolution A/C.3/47/L.18 on the understanding that it covered all the points that justified the holding of the Conference at a sufficient level of generality not to exclude any vital issue and a sufficient degree of specificity to prevent extraneous debates. The approval of that agenda should also serve as the basis for the forthcoming regional meeting to be held by the Latin American and Caribbean States in Costa Rica.

38. Mr. JOSHI (Nepal) said that his country strongly supported the principles of democracy and human rights. Free elections had been held two years earlier under a multiparty system and had been monitored by an international team of experts. The Constitution, which proclaimed Nepal as a multi-ethnic, multi-lingual, democratic constitutional kingdom, enshrined the fundamental rights of the people and laid down principles to guide the State in protecting their civil, political, economic, social and cultural rights. The Government was currently enacting new laws and amending existing ones to bring its legislation into conformity with the international human rights instruments.

39. Shortly after coming into power, his Government had ratified all the major international human rights instruments, reflecting Nepal's strong commitment to protecting and promoting the rights of its people. Principles that fostered human rights, development and democracy served as the foundation for the newly constituted Government. Poverty and mass illiteracy, however, were the biggest impediment to effective enjoyment of human rights in developing countries. While democracy and respect for human rights were necessary for the establishment of a society based on the rule of law, they could not ensure economic development. In that regard, he reaffirmed his country's support for the Declaration on the Right to Development. A consensus was slowly emerging on the interdependent nature of all human rights and the obligation of States and the international community in general to cooperate in enhancing the enjoyment of not only civil and political but also economic, social and cultural rights.

40. The existing international economic system could not be considered equitable or just. Enhanced multilateral cooperation was needed to revitalize the socio-economic development of developing countries and create a climate conducive to respect for human rights.

41. His Government, which was fully committed to enabling the Nepalese people to exercise their right to development as a basic human right, sought to meet their basic needs with regard to food, shelter and clothing and had also formulated policies to ensure universal access to education and health. The forthcoming World Conference on Human Rights would provide a unique opportunity to address the issue of human rights and development and recognize the importance of establishing a favourable international climate for the effective enjoyment of human rights, while ensuring the principles of universality, objectivity and non-selectivity.

42. Miss ATTAH (Nigeria) said that in view of the conflicts and problems in various parts of the world, the international community must continue to ensure respect for human rights and fundamental freedoms. The Centre for Human Rights continued to give much-needed support to regional human rights organizations and it was hoped that the United Nations would ensure that the Centre had the necessary funds to carry out its increased responsibilities.

43. At its meeting in March 1992 in Tunis, the African Commission on Human and Peoples' Rights had adopted a plan of work that included the organization of training courses and the establishment of an information and documentation centre to promote the work of the Commission and non-governmental organizations.

44. In Nigeria, the Centre for Democratic Studies continued to play a significant role in the transition to democratic, civilian rule and trained representatives of professional groups, labour unions, business organizations and human rights groups desiring to monitor elections, especially the presidential elections to be held in June 1993.

45. The right to development was an inalienable human right and of particular importance to developing countries since it would guarantee their transition to a democratic system. Her delegation hoped that the right to development would be given priority on the agenda for the 1993 World Conference on Human Rights. Nigeria attached great importance to the Conference, which should evaluate United Nations achievements in promoting respect for human rights and chart a course for subsequent decades. The Conference should give priority to the issue of development and the linkage between development, democracy and human rights.

46. Nigeria also welcomed the proclamation of 1993 as the International Year for the World's Indigenous People and stressed the need to ensure the rights of indigenous peoples. The international community should provide generous contributions in order to ensure the success of the activities of the Year.

47. Mr. STEFANOV (Bulgaria) said that the Centre for Human Rights, as an important part of United Nations human rights machinery, should be provided with the necessary resources to carry out its increased workload. Better awareness of human rights and fundamental freedoms on the part of every individual was essential for their implementation. The dissemination of information and the provision of technical services in the field of human rights were becoming increasingly important. Since the end of 1991, his Government had been participating in a technical cooperation programme with the Centre in the field of documentation, information and training.

48. There was a growing need for an adequate information system to foster public awareness of human rights and fundamental freedoms on a global level and to build a universal culture of human rights. The various activities undertaken within the framework of the World Public Information Campaign for Human Rights and the advisory and technical programmes of the Centre for Human

(Mr. Stefanov, Bulgaria)

Rights had proved particularly useful and should be strengthened to meet increasing demands by Member States.

49. Since accession to international human rights instruments did not ensure their observance, the monitoring of the implementation of human rights was of increasing importance and in no way constituted interference in the internal affairs of any country. The system of mechanisms established within the Commission on Human Rights should help in dealing with existing human rights problems. The Governments that had not cooperated thus far with the special rapporteurs and representatives should assist them in carrying out the mandates entrusted to them by the Commission.

50. United Nations election-monitoring missions could play a significant role in protecting human rights, guaranteeing impartiality and promoting the electoral process. In view of the growing number of requests by Member States for electoral assistance, Bulgaria welcomed the appointment of a focal point for electoral verification and assistance within the Secretariat. Lastly, he stressed the importance which Bulgaria attached to the activities of non-governmental organizations in the social and humanitarian fields. Apart from monitoring observance of human rights, they could play an important part in raising overall awareness of those issues.

51. Mr. ZABIGAILO (Ukraine) said that the collapse of the Soviet empire had opened the way for the real development of democracy in the newly independent States. After declaring its independence in August 1991, his country had held a national referendum in December of that year, in which 90 per cent of the electorate, consisting of both Ukrainians and representatives of national minorities, had overwhelmingly voted in favour of an independent State. On that same day, the first President of a sovereign Ukraine had been elected.

52. From the very outset, the primacy of human rights had been a cornerstone of his country's policy to establish a new society on the basis of a market economy and individual freedom. Ukraine's participation in the Conference on Security and Cooperation in Europe reflected its commitment to democratic values and policies. The freedom of citizens to participate in economic and political decisions was of key importance for the implementation of human rights. Respect for the right to own property promoted the development of individual freedom and strengthened other rights and freedoms. His country's legislation had enshrined the right to own private property and provided reliable protection for foreign investors.

53. The international community should provide the necessary assistance to States that wished to ensure the development of individual citizens and society as a whole. Currently, Ukraine lacked resources to guarantee the immediate and comprehensive implementation of all rights and freedoms in accordance with its international obligations and domestic legislation. Accordingly, it welcomed the possibility to cooperate with the United Nations,

(Mr. Zabigailo, Ukraine)

its electoral-monitoring bodies and individual States in order to ensure respect for economic, social, cultural, civil and political rights.

54. The International Covenants on Human Rights were at the very basis of the radical changes occurring in the legal system in his country. The protection of human rights and freedoms was an integral part of the new draft constitution currently under review by the Parliament. There were new legislative acts regarding citizenship, social security, the judicial system, public prosecutors and alternative military service. They included the right to personal immunity, the right to a fair trial, freedom of movement, freedom of assembly and association and the right to participate in government; they also covered the rights and freedoms of national minorities, in particular through the conclusion of bilateral agreements.

55. The Special Rapporteurs of the Subcommission on Prevention of Discrimination and Protection of Minorities were particularly instrumental in ensuring that international standards of human rights were upheld. However, the rather long intervals between reports somewhat reduced the effectiveness of the system. Furthermore, States were not legally obligated to provide information. He supported the view that the adoption of new international instruments on human rights should not lead to the creation of additional bodies. It was more important to assess existing agreements seriously and adopt new ways of ensuring that human rights were protected. To that end, his delegation actively supported the forthcoming World Conference on Human Rights.

56. Mr. BIGGAR (Ireland) said that discrimination against a person on grounds of religion or belief was particularly insidious, given the importance of religion in defining cultural or national identity. Despite the fact that all major religions and systems of belief proclaimed tolerance for the views of others, intolerance based on religion had been a major factor throughout history in conflicts and in the persecution of other human beings. The issue of freedom of religion and belief was central to the concerns of those working to guarantee human rights and fundamental freedoms. Freedom of religion and belief was enshrined in a number of international human rights instruments. That had not led, however, to the eradication of intolerance: individuals and groups in many parts of the world continued to be persecuted on account of their beliefs.

57. Governments should ensure that their constitutional and legal systems provided enforceable guarantees of freedom of religion or belief, including adequate remedies for violations of those rights. They must also ensure that the rights were respected in practice, for example, by ensuring that the police, security forces and administrators treated all citizens equally, irrespective of their religion or belief. Governments should also ensure that school curricula inculcated understanding and tolerance in society.

58. The United Nations and other international organizations could play a significant role by disseminating information on the need for tolerance. It

(Mr. Biggar, Ireland)

was hoped that non-governmental organizations would continue to play their traditional role in promoting tolerance and bringing to light cases of discrimination and intolerance. Lastly, it was the responsibility of individuals to examine their own attitudes and ensure that their views and actions did not promote intolerance.

Statements in exercise of the right of reply

59. Mr. YOUSIF (Sudan) said that the statements made by the United Kingdom and the United States at the previous meeting had included groundless accusations against his country and, grossly misrepresenting the situation, had alleged wide-scale human rights violations. A special representative of the Secretary-General who had visited the Sudan that month had in no way corroborated the allegations levelled by the United Kingdom and the United States. An independent expert appointed by the Commission on Human Rights was currently in the Sudan and receiving the full cooperation of the Government in his investigation of all alleged violations. His Government continued to protect innocent civilians from attacks and to search for a peaceful solution to the conflict.

60. Mr. HUSSEIN (Iraq) said that he had listened to the human rights accusations made against 36 countries by the representative of the European Community (EC), who pretended to ignore the decades of oppression by European countries, including his own, against the third world. The peoples of the third world saw in such feigned concern for human rights on the part of the members of the Community an attempt to whitewash their own dishonourable record; he regretted that the EC delegate had not touched on human rights violations in certain European countries, particularly the United Kingdom, where the human rights of an entire people were being violated. In the current age of force and hegemony, the developing countries would not flourish so long as the developed countries had vital interests there. A minimum of decorum was required in addressing human rights questions.

61. While not presuming to take the defence of other countries, he wished to reply to the accusations made by the representatives of the United Kingdom and the United States regarding discrimination in his country, the bombing of civilians in southern Iraq and other claims made by the Special Rapporteur of the Commission on Human Rights concerning Iraq at the instigation of the United Kingdom and the United States. As Mr. Tariq Aziz, Deputy Prime Minister of Iraq, had said that morning in the Security Council, the idea of discrimination against Shiites or Sunnites was ludicrous. Arab and Islamic history had known no such confessional strife as that between Catholics and Protestants in Europe. Such propagandist claims were part of a wide-scale plan to partition Iraq in order to enable the colonialist countries to regain control of the oil. Iraqis, whether Shiite or Sunnite, Muslim or Christian, Arab or Kurd, and others, did not need the sympathy of those countries which had oppressed them historically or had dropped over 100,000 tons of bombs on them during the Gulf war. Despite the conspiracies against them, the Iraqis

(Mr. Hussein, Iraq)

were united as a people around their leadership and were in no doubt as to the true aims of that feigned concern.

62. Regarding those killed in southern Iraq, Iraq had suggested to the Security Council that it should dispatch an observer mission to the area to ascertain the situation at first hand; Mr. Aziz had wondered why the Security Council had not done so. The United States representative had said in the Security Council that United States President Bush had resolved to save the Shiites in Iraq. If Bush was so concerned about the Shiites as a religious group, why had he done nothing about the Shiites in southern Lebanon, who were subjected to daily bombardment by Israeli aviation? Perhaps it was because they had no oil, only apples and oranges, and thus did not warrant the sending of whole fleets of warships and aircraft. The southern marsh region was constantly visited by parliamentarians and journalists from various countries, including Western ones, who knew the true state of affairs there.

63. As to the protection of the Kurds, interested delegates should read the article published that same day by The New York Times on what was happening to the Kurds in Turkey near the Incirlik base used by the coalition forces: the Kurdish problem was being dealt with in a manner similar to the selective protection of the Shiites.

64. Such ignominious claims and fabrications regarding his country only served to strengthen his delegation's intimate conviction that the major Powers would not shrink from destroying peoples and partitioning countries in order to promote their own interests under the cover of humanitarian and moral slogans. The Iraqi people knew full well that the attempt to starve it by stubbornly maintaining the embargo was the work of the more influential members of the Security Council, in particular the United States and the United Kingdom.

65. Mr. ZHANG Yishan (China) said that the representatives of the United Kingdom and the United States of America had levelled gratuitous and unfounded accusations at China to which he wished to take exception. Such attacks reflected the politicization of human rights issues and the selectivity with which they were discussed. Those two phenomena had been steadily increasing in recent years, notwithstanding the appeals by many countries for a strengthening of international cooperation to promote the protection of human rights and fundamental freedoms. A number of countries, the United Kingdom and the United States among them, actively sought out human rights violations in countries with which they were displeased; in the case of other countries, they turned a blind eye to such violations for the sake of political expediency. Where their allies were concerned, they found no fault at all.

66. He wondered whether the experts who attended United Nations meetings on human rights had ever heard either the United Kingdom or the United States criticize their own human rights records or those of countries belonging to

(Mr. Zhang Yishan, China)

their regional group. He wondered also why resolutions dealing with human rights singled out only developing countries; surely it was not because the United Kingdom and the United States were model defenders of human rights. If those countries sincerely wished to promote human rights, perhaps they might consider submitting a draft resolution on the problems in Northern Ireland and Los Angeles or the problem of xenophobia. He was certain that quite a few developing countries, including China, would be willing to sponsor it.

67. China had been pursuing a policy of reform and opening up to the outside world which had led to economic growth and contentment among the Chinese people. That had not been an easy task for the world's largest developing country with more than one fifth of the world's total population, and it could not have been achieved if the Government and people had not been of one heart and one mind. Yet the representatives of the United Kingdom and the United States persisted in looking at China through tinted spectacles which afforded them a distorted view of the situation in that country. Thus political stability was viewed as suppression of differing political views; public order was seen to be achieved by oppressing minorities; and the people's contentment was construed as an absence of freedom of speech. The representatives of the United Kingdom and the United States ought to take off those tinted spectacles and try to get to know the real China a little better.

68. With regard to the question of Tibet, the representative of the United Kingdom had groundlessly and slanderously accused the Chinese Government of repressing the Tibetan people. It was well known that Tibet formed an indivisible part of China. The Tibetan people enjoyed the same civil, political, economic, social and cultural rights as all ethnic minorities in China. The question of Tibet was not an ethnic, religious or human rights question: it was the result of efforts to reimpose a backward system of serfdom carried out by a few who were being encouraged by a handful of foreign countries to wrest Tibet away from China. Those efforts were nothing more than intervention in the internal affairs of a sovereign State.

69. The statement by the representative of the United Kingdom on behalf of the European Community had cited the names of numerous countries, yet nothing had been said about the instances of racial discrimination, xenophobia and neo-nazism occurring in the Community itself.

70. The United Kingdom had been meddling in Tibetan affairs since the beginning of the colonial period, seeking always to separate Tibet from China. Colonialism had become history, and it had been assumed that the United Kingdom had learned from history and had abandoned the misguided policy of that period. Yet remnants of that policy seemed to linger on. He wished to point out that the illegal actions of the colonial period were not acceptable as the world moved into the twenty-first century. Perhaps the United Kingdom representative should pay a bit more attention to the question of Northern Ireland.

71. Mr. JAAFARI (Syrian Arab Republic) noted that the United Kingdom delegate, speaking on behalf of the European Community, had expressed concern over human rights violations in a number of countries, including the Syrian Arab Republic. Those criticisms had been made from a purely European point of view, which should not be the sole yardstick for dealing with that extremely sensitive topic. An objective appraisal of human rights should not be preferential, discriminatory or selective, and should take into account the political, social, religious and cultural circumstances of non-European peoples. A single country or group of countries should not set itself up as the arbiter of other countries on human rights, which were of concern to the entire international community, and which the Committee was endeavouring to promote through the holding of the World Conference on Human Rights.

72. Human rights should not be used as an instrument of political pressure; all nations had a right to manage their political, economic, cultural and social systems on the basis of national sovereignty and self-determination, as enshrined in the Charter and other international instruments. That did not preclude positive interaction and the exchange of experience among the peoples of the world. Democracy was nowhere fully exemplary, nor was there a single valid model for it. Rather, it was an evolving practice closely linked to the circumstances of each country. The foundations of the new world order should not reflect the views of some at the expense of others, but should respect the specific circumstances and customs of peoples. Cooperation was not at variance with democracy, and in particular what might be called international democracy, which should benefit from the positive changes in the international situation to avoid the mistakes of the past. He hoped that certain delegations would not use the subject of human rights as a pretext for interference by proxy in the internal affairs of States along the lines of the diplomacy of war by proxy, from which the world had so long suffered.

73. Mr. HYON Hak Bong (Democratic People's Republic of Korea) said that the representative of the United Kingdom had sought to distort the facts about the People's Democratic Republic of Korea, which categorically rejected the allegations as being groundless and politically motivated. In his country, all the requirements under the two International Covenants and other relevant international human rights instruments were being fully implemented and were guaranteed by law. His Government's policy was based on a man-centred philosophy designed to serve the people; they enjoyed all human rights and fundamental freedoms, which were fully guaranteed by the Constitution. It was ironic that the United Kingdom should stand as a champion of human rights, dictating to others what they should or should not do, when it had its own serious human rights problems which it should address before blaming others for alleged violations.

74. Mr. MORA GODOY (Cuba) said that his delegation reserved the right to reply to the statement by the United Kingdom representative at a later stage, since that statement called for comment on a wider issue, namely military occupation.

(Mr. Mora Godoy, Cuba)

75. The statement by the United States delegation, although not substantially different from its usual demagogical utterances on human rights, had pre-empted questions by other delegations about the United States' own problems and denied any claim to a monopoly over human rights. The arguments put forward by the United States representative in anticipation of those questions merely revealed his Government's latent cynicism and imperialist designs. Under what authority did that Government assume the right to single out another country for blame simply because it was not to its liking?

76. In the United States, the proclaimed principles of being born free and created equal applied only to Whites. Throughout its history, its behaviour had been characterized by immaturity, a difficulty in establishing serious, respectful relations with neighbouring or remote countries and inflexibility, fluctuating between the extremes of isolationism and "big stick" interventionism. Considering itself to be invested with a moral mission to bring its idea of democracy to the world, it had always stood in judgement and not sought to understand. Not only did its own history disprove its claim to exercise any such moral authority, but no nation had any such authority. If the United States put an end to its interference in the affairs of others as a self-appointed master of the planet, it would spare itself the opprobrium of other peoples.

AGENDA ITEM 97: HUMAN RIGHTS QUESTIONS (continued)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued)
(A/C.3/47/L.39-L.44)

Draft resolution A/C.3/47/L.39, concerning the Genocide Convention

77. Mr. FISENKO (Belarus), introducing the draft resolution on behalf of Poland and his delegation, said that the crime of genocide had caused immeasurable losses throughout history, as witnessed by recent events in the former Yugoslavia, the Caucasus and other regions of the world. The sponsors hoped that the draft resolution would receive the Committee's unanimous support.

Draft resolution A/C.3/47/L.40, concerning the United Nations Voluntary Fund for Victims of Torture

78. Mr. VENTEGODT (Denmark) introduced the draft resolution on behalf of the original sponsors, and Costa Rica and Sri Lanka. In 1992, 71 grants for projects around the world had been recommended by the Board of Trustees to be supported by the Fund. There was a large and unsatisfied need for assistance, which had prompted the Under-Secretary-General for Human Rights and the Chairman of the Board of Trustees of the Fund to ask Governments which were not regular donors to contribute, and Governments which were regular donors to increase their contributions. The sponsors hoped that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/47/L.41, concerning the Migrant Workers Convention

79. Mrs. AGUILERA (Mexico) introduced the draft resolution on behalf of the original sponsors and Argentina, Costa Rica, Croatia, Nicaragua, Rwanda and Sweden. In the light of the new aspects of international migration, she urged all Member States to support the draft resolution and expressed the hope that it would be adopted without a vote.

Draft resolution A/C.3/47/L.42, concerning the implementation of human rights instruments

80. Mr. KESSEL (Canada) introduced the draft resolution on behalf of the original sponsors and Italy. He revised the text of paragraph 12, removing the phrase "in the light of the deliberations of the Commission on Human Rights". The sponsors hoped that the draft resolution would be adopted without a vote.

Draft resolution A/C.3/47/L.43, concerning the Convention on the Rights of the Child

81. Ms. STROM (Sweden) introduced the draft resolution on behalf of the original sponsors and Austria, Bangladesh, Barbados, Burkina Faso, China, Costa Rica, Cyprus, Egypt, Estonia, Germany, Greece, Italy, Kenya, New Zealand, Nicaragua, Poland, Rwanda, Samoa, Spain, Sri Lanka, the Sudan, Thailand, Tunisia, Ukraine and Venezuela. The sponsors hoped that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/47/L.44, concerning the Convention against Torture

82. Mr. PETERS (Netherlands) introduced the draft resolution on behalf of the original sponsors and Argentina, Costa Rica, El Salvador, Nicaragua, Poland, Spain and Uruguay. They hoped it would be adopted without a vote.

The meeting rose at 6.10 p.m.